



1-2012

RESIDENTIAL BOARD OF ADJUSTMENT DECISIONS

**Wednesday, January 18, 2012
1:30 PM
1000 Throckmorton
City Council Chamber
2nd Floor – City Hall
Fort Worth, Texas 76102**

BOARD MEMBERS:

Johanna McCully-Bonner (Alternate)	P
Ronald R. Shearer	P
Barbara Worthley	P
Jerry Tinkle, Chair	P
Gene Miers (Alternate)	P
Clifford (Carl) Logan, Vice Chair	P
Wade Chappell	A
Shirley Bryant	P
Victoria E. Bargas	P

I. 12:30 P.M. LUNCH/WORK SESSION Pre-Council Chamber

A. Review of Cases on Today's Agenda

II. 1:30 P.M. PUBLIC HEARING Council Chamber

A. Approval of Minutes of the December 21, 2011 Hearings

**APPROVED
5-0-3**

ASSISTANCE AT THE PUBLIC MEETINGS:

The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available on the south side of the City Hall building to the south of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers or large print, are requested to call 817-392-7844, FAX 817-392-7985, or call TDD 1-800-RELAY-TX at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

Executive Session.

A closed Executive Session may be held with respect to any posted agenda item to enable the Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.



B. Translation Cases:

1. **BAR-11-264** **JOSE CASTILLO** **CD9**
1304 W. Hammond Street
 - a. Request a **VARIANCE** in an "A-5" One Family District to permit the continued use of a carport that encroaches approximately one (1) foot into the required five (5) foot side yard setback, creating and approximate four (4) foot side yard setback.
APPROVED 8/0
 - b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed approximately three hundred sixty-four (364) square feet instead of the maximum allowed two hundred (200) square feet, excessive by approximately one hundred sixty-four (164) square feet.
APPROVED 8/0
 - c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a gazebo approximately fourteen (14) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately six (6) feet.
APPROVED 8/0
2. **BAR-11-265** **ROSENDO AND MARIA DELGADILLO** **CD9**
1517 W. Hammond Street
 - a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of front yard carport where none is allowed.
APPROVED 8/0
3. **BAR-11-271** **JOSE ARMANDO SANTANA** **CD9**
1332 W. Hammond Street
 - a. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of carport encroaching approximately one foot eight inches (1'8") into the required five (5) foot side yard setback, creating an approximate three foot four inch (3'4") side yard.
APPROVED 8/0
4. **BAR-11-272** **SALVADOR AND HILDA RAMIREZ** **CD9**
1012 W. Hammond Street
 - a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of a five (5) foot open design fence in the front yard.
DENIED WITHOUT PREJUDICE 8/0



5. **BAR-11-273** **JOSE DELGADO RODRIGUEZ AND YADIRA ESCOBEDO-PAERALES** **CD9**
1228 W. Hammond Street
- a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of front yard carport where none is allowed.
- APPROVED 8/0**
6. **BAR-11-280** **Y.A. ALVAREZ AND J. GONZALES** **CD9**
1116 W. Hammond Street
- a. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of four (4) foot wrought iron fence in the Public Open Space Easement (P.O.S.E.).
- MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 5/3**
7. **BAR-12-003** **GERARDO NORIEGA** **CD9**
1605 W. Hammond Street
- a. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a garage apartment encroaching approximately one (1) foot into the required five (5) foot side yard setback, creating an approximate four (4) foot side yard.
- APPROVED 8/0**
8. **BAR-12-006** **MARIA D. DIAZ** **CD8**
4317 Lambeth Lane
- a. Request a **SPECIAL EXCEPTION** in an "A-7.5" One-Family District to permit the continued use of a four (4) foot solid masonry fence in the front yard. **STIPULATING TWO FOOT SIX INCH (2'6") SOLID MASONRY FENCE WITH FOUR (4) FOOT COLUMNS.**
- APPROVED 8/0**
9. **BAR-12-011** **SERGIO AND ELENA GUZMAN, by Denise Guzman** **CD6**
1704 Willow Vale Drive
- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed approximately twelve (12) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately four (4) feet.
- APPROVED 7/1**



10. BAR-12-012

RIGOBERTO AND MARIA DURAN
3604 Lynnfield Drive

CD8

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot solid fence in the front yard.

DENIED 8/0

- b. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a five (5) foot open design fence in the front yard.

APPROVED 8/0

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an approximate five (5) foot solid wood fence along the west property line only where only a four (4) foot solid fence is allowed, excessive by approximately one (1) foot in height.

DENIED 8/0

11. BAR-12-015

RAMON VALENCIANA
1312 W. Hammond Street

CD9

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a four (4) foot solid wood fence in the front yard.

DENIED 8/0

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a carport encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.

APPROVED 8/0

C. Continued Cases:

1. BAR-11-256

TED W. AND CAROL J. PATE
6251 Sea Meadow Drive

CD3

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed approximately eleven feet nine inches (11'9") instead of the maximum allowed eight (8) feet in height, excessive by approximately three feet nine inches (3'9").

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 2/6



2. **BAR-11-257** HEARD DECEMBER 21, 2011
3. **BAR-11-263** HEARD DECEMBER 21, 2011
4. **BAR-11-267** WITHDRAWN BY STAFF PRIOR TO PUBLIC NOTICE
5. **BAR-11-268** HEARD DECEMBER 21, 2011
6. **BAR-11-269** SIM FAMILY FOUNDATION INC, c/o Joreea McNamee Kelly **CD8**
5519 Van Natta Lane
- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a front yard carport where none is allowed.
- CONTINUED TO FEBRUARY 15, 2012 8/0**
7. **BAR-11-270** LOUIS & BARBARA SABO **CD3**
4813 South Drive W.
- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a storage shed approximately ten (10) feet instead of the maximum allowed eight (8) feet in height, excessive by approximately two (2) feet.
- APPROVED 8/0**
8. **BAR-11-279** WITHDRAWN BY STAFF PRIOR TO PUBLIC NOTICE
9. **BAR-11-281** HEARD DECEMBER 21, 2011
10. **BAR-11-282** HEARD DECEMBER 21
11. **BAR-11-283** HEARD DECEMBER 21
12. **BAR-11-284** HEARD DECEMBER 21
13. **BAR-11-285** STEVEN R. WILLIAMSON **CD7**
10524 Pack Saddle Trail
- a. Request a **VARIANCE** in an "A-21" One-Family District to permit the construction of a second garage where only (1) garage is allowed.
- DENIED WITHOUT PREJUDICE 8/0**



D. New Cases:

1. **BAC-12-009** **MARY SOTELO by David Fisher** **CD9**
1301 E. Bluff St.
 - a. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the construction of a building addition encroaching approximately ~~fifteen-(15)~~ ten (10) feet into the required twenty (20) foot front yard setback, creating approximately ~~five-(5)~~ ten (10) foot front yard setback along Hampton St.
APPROVED 8/0
 - b. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the construction of a building addition encroaching approximately ~~thirty-five-(35)~~ thirty-three feet six inches (33'6") into the required forty (40) foot supplemental building setback, creating approximately ~~five-(5)~~ six foot six inch (6'6") supplemental building setback along north side of the property line.
APPROVED 8/0
 - c. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the construction of a building addition without providing the required five (5) foot bufferyard along north side of the property line.
DENIED 8/0
 - d. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the construction of a building addition without providing the required landscaping and irrigation in the five (5) foot bufferyard along north side of the property line.
DENIED 8/0
2. **BAR-11-266** **DANIELLE I AND CHERYL ISBILL** **CD9**
1612 W. Hammond Street
 - a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a carport encroaching approximately two (2) feet into the required five (5) foot side yard setback, creating an approximate three (3) foot side yard.
APPROVED 8/0
3. **BAR-11-286** **JIM D Jr. AND VANESSA I. DODD** **CD9**
1117 W. Hammond Street
 - a. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a four (4) foot chain link fence where none is allowed.
APPROVED 8/0
 - b. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a chain link fence in the Public Open Space Easement (P.O.S.E.).
DENIED 8/0



4. **BAR-11-287** **DAVID R. AND ROSA ELVIA JONES** **CD3**
By Municipal Permit Service
2900 Cordone Street
- a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of a front yard carport, where none is allowed.
- CONTINUED TO FEBRUARY 15, 2012 6/2**
5. **BAR-11-288** **WITHDRAWN BY STAFF PRIOR TO PUBLIC NOTICE**
6. **BAR-11-289** **GLADYS AND LEO LAZO** **CD9**
4324 Houghton Avenue
- a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the construction of a front yard carport, where none is allowed. **STIPULATING 20'X20' CARPORT.**
- APPROVED 8/0**
- b. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a front yard carport encroaching approximately one (1) foot into the required five (5) foot side yard setback, creating an approximate four (4) foot side yard.
- DENIED 8/0**
7. **BAR-11-291** **CARMEN MORILLO LOPEZ** **CD9**
545 W. Hammond Street
- a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued use of a four foot ten inch (4'10") open design fence in the front yard.
- APPROVED 8/0**
- b. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a carport encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.
- APPROVED 8/0**
- c. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a garage encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.
- APPROVED 8/0**
- d. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a patio cover encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.
- APPROVED 8/0**
- e. Request a **VARIANCE** in a "B" Two-Family District to permit the continued use of a garage encroaching approximately five (5) feet into the required five (5) foot rear yard setback, creating an approximate zero (0) foot rear yard.
- APPROVED 8/0**



8. **BAR-11-297** **TO HEARD FEBRUARY 15, 2012**

9. **BAR-11-298** **HEARD DECEMBER 21, 2011**

10. **BAR-11-299** **VOID**

11. **BAR-12-001** **JENNIFER P. SCHULTES** **CD8**
2507 Boston Avenue

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a four (4) foot chain link fence in the front yard where none is allowed.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/2

12. **BAR-12-002** **MAURICE E. AND KIMBERLY ROCH, by Jon C. Olesen** **CD9**
1308 W. Hammond Street

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of a carport encroaching approximately five (5) feet into the required five (5) foot side yard setback, creating an approximate zero (0) foot side yard.

CONTINUED TO FEBRUARY 15, 2012 8/0

13. **BAR-12-004** **SCOTT ALAN SCHLAEFLI, by Johnathan Killebrew** **CD7**
8036 Woodvale Road

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a garage with living quarters that encroaches approximately three (3) feet into the required five (5) foot side yard, creating an approximate two (2) foot side yard.

APPROVED 7/1

14. **BAR-12-005** **JUSTIN T. KELLER** **CD3**
6800 River Park Circle

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the construction of a four (4) foot solid wood fence in the required front yard.

APPROVED 8/0

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of an approximate six (6) foot solid wood fence in the front yard instead of the allowed four (4) foot fence allowed excessive by approximately two (2) feet in height.

APPROVED 8/0

15. **BAR-12-007** **JASON S. AND SHELLY G. F. FORREST, by Johnathan Killebrew** **CD9**
2529 Lubbock Avenue

- a. Request a **VARIANCE** in a "B" Two-Family District to permit the construction of a second garage where only one is allowed.

DENIED 7/1



16. BAR-12-008

VOID

17. BAR-12-009

VICTOR AND MARTHA GARCIA, By Jose Saucedo
3113 N.W. 25th Street

CD2

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One- Family District to permit the continued use of a four (4) foot solid masonry wall in the front yard.

APPROVED 8/0

- b. Request a **VARIANCE** in an "A-5" One- Family District to permit the construction of a carport that encroaches approximately five (5) feet into the required five (5) foot side yard setback creating and approximate zero (0) foot side yard.

APPROVED 8/0

18. BAR-12-010

PAT ROGERS
9328 Shoveler Trail

CD5

- a. Request a **VARIANCE** in a "PD" District to permit the construction of a storage shed that encroaches approximately two feet six inches (2'6") into the required five (5) foot rear yard setback creating and approximate two foot six inch (2'6") rear yard.

APPROVED 8/0

19. BAR-12-013

EFRAIN NAVA
504 Clairmont Avenue

CD8

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of a five (5) foot wrought iron and masonry fence.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/2

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an approximate five foot six inch (5'6") wrought iron and masonry fence with seven (7) foot wrought iron gates instead of the allowed five (5) foot, excessive by approximately six inches (6") for the fence and two (2) feet for the gate in height.

MOTION TO APPROVE FAILED FOR LACK OF SEVEN (7) AFFIRMATIVE VOTES 6/2

20. BAR-12-014

PATRICIA A. COTTLE
4332 Kings Circle N.

CD4

- a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the construction of a front yard carport, where none is allowed.

APPROVED 8/0



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21. BAR-12-016

BARNELL MITCHELL
5213 Blackmore Avenue

CD7

- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of the land for one large animal on a lot that is approximately eleven thousand six hundred and fifty (11,650) square feet in area instead of the required one half (1/2) acre and without living the required one quarter (1/4) mile from the property.

CASE NOT HEARD

III. ADJOURNMENT: 6:13 P.M.